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8
9 **BEFORE THE**
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. *2013-310*

12 **VERONICA MARIE POSS**
13 **25600 Union Hill Drive**
14 **Sun City, CA 92586**

A C C U S A T I O N

15 **Registered Nurse License No. 653792**

16 Respondent.

17
18 Complainant alleges:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
21 official capacity as the Executive Officer of the Board of Registered Nursing, Department of
22 Consumer Affairs.

23 2. On or about March 3, 2005, the Board of Registered Nursing issued Registered Nurse
24 License Number 653792 to Veronica Marie Poss (Respondent). The Registered Nurse License
25 was in full force and effect at all times relevant to the charges brought herein and will expire on
26 February 28, 2013, unless renewed.

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1 (1) Formulates a nursing diagnosis through observation of the client's
physical condition and behavior, and through interpretation of information
2 obtained from the client and others, including the health team.

3 (2) Formulates a care plan, in collaboration with the client, which ensures
that direct and indirect nursing care services provide for the client's safety,
4 comfort, hygiene, and protection, and for disease prevention and restorative
measures.

5 (3) Performs skills essential to the kind of nursing action to be taken,
explains the health treatment to the client and family and teaches the client and
6 family how to care for the client's health needs.

7 (4) Delegates tasks to subordinates based on the legal scopes of practice of
the subordinates and on the preparation and capability needed in the tasks to be
8 delegated, and effectively supervises nursing care being given by subordinates.

9 (5) Evaluates the effectiveness of the care plan through observation of the
client's physical condition and behavior, signs and symptoms of illness, and
10 reactions to treatment and through communication with the client and health team
members, and modifies the plan as needed.

11 (6) Acts as the client's advocate, as circumstances require, by initiating
12 action to improve health care or to change decisions or activities which are against
the interests or wishes of the client, and by giving the client the opportunity to
13 make informed decisions about health care before it is provided.

14 9. California Code of Regulations, title 16, section 1444, states:

15 A conviction or act shall be considered to be substantially related to the
qualifications, functions or duties of a registered nurse if to a substantial degree it
16 evidences the present or potential unfitness of a registered nurse to practice in a
manner consistent with the public health, safety, or welfare. . . .

18 COSTS

19 10. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
20 administrative law judge to direct a licentiate found to have committed a violation or violations of
21 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
22 enforcement of the case.

23 DRUG

24 11. Morphine is a Schedule II controlled substance pursuant to Health and Safety Code
25 section 11055(b)(1)(L) and a dangerous drug pursuant to Business and Professions Code Section
26 4022. Morphine is the generic name for the brand name drug MS Contin and is used to treat pain.

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FACTS

12. On September 3-4, 2009, Respondent was working as a registered nurse at Riverside County Regional Medical Center and was assigned to take care of patient ST while on the 7:00 p.m. to 7:30 a.m. shift. Patient ST was an adult woman who had been hospitalized with stage 4 ovarian cancer and was awaiting surgery and chemotherapy treatment. On September 3, 2009, patient ST had a physician's order for routine administration of MS Contin 120 mg orally twice daily (controlled release morphine tablets) to be given at the scheduled times of 9:00 p.m. and 9:00 a.m. Patient ST also had a physician's order for morphine instant release (MIR) 20 mg solution to be given orally as often as every three hours as needed for breakthrough pain.

13. On September 3, 2009, at approximately 9:45 p.m., Respondent administered the evening dose of MS Contin 120 mg to patient ST.

14. On September 4, 2009, at approximately 2:30 a.m., Respondent checked on patient ST and asked her how her pain was. Patient ST stated she was in pain and that she preferred to receive the tablet morphine medication over the morphine solution medication.

15. On September 4, 2009, at approximately 2:35 a.m., Respondent administered a tablet of 120 mg of MS Contin to patient ST, even though it was too early to do so, and the dose was not due until 9:00 a.m.

CAUSE FOR DISCIPLINE

(Incompetence)

16. Respondent is subject to disciplinary action under Code section 2761(a)(1) in that she displayed incompetent within the meaning of California Code of Regulations, title 16, section 1443 as detailed in paragraphs 12 through 15, above, and incorporated herein by reference, and as follows.

a. Respondent administered 120 mg of MS Contin to patient ST on September 4, 2009 at 2:35 a.m., without a physician's order to do so.

b. Respondent administered the wrong medication to patient ST on September 4, 2009 at 2:35 a.m. Respondent should have administered the physician-ordered breakthrough pain medication of MIR 20 mg instead of the MS Contin.

1 c. Respondent administered 120 mg of MS Contin to patient ST on September 4,
2 2009 at 2:35 a.m. when the patient had already received her evening dose of MS Contin and was
3 not due for another dose of MS Contin until 9:00 a.m.

4 **PRAYER**


5 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
6 and that following the hearing, the Board of Registered Nursing issue a decision:

7 1. Revoking or suspending Registered Nurse License Number 653792, issued to
8 Veronica Marie Poss;

9 2. Ordering Veronica Marie Poss to pay the Board of Registered Nursing the reasonable
10 costs of the investigation and enforcement of this case, pursuant to Business and Professions
11 Code section 125.3; and

12 3. Taking such other and further action as deemed necessary and proper.

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14 DATED: OCTOBER 24, 2012


for LOUISE R. BAILEY, M.ED., RN
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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